IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1032 OF 2006

Calesta C.H.S. Ltd., & Anr. ...Petitioners.

Versus

The State of Maharashtra & Ors. ...Respondents.

Shri Girish S. Godbole for the Petitioners.
Shri D.A.Patil, A.G.P for State.

CORAM : S.C.DHARMADHIKARI,J.

DATE : 22nd FEBRUARY, 2006.

P.C. :

1. Shri Godbole - learned Counsel appearing for the petitioner society states that the petitioners are aggrieved by an order dated 12th December, 2005 calling upon the petitioners to show cause as to why an order winding up the first petitioner society should not be made; and therefore they have approached the Divisional Joint Registrar, Co-operative Societies, Nashik by filing a revision application. The grievance is that neither the revision application is disposed of finally nor any interim order is made therein, protecting the petitioners till hearing and final disposal thereof. He apprehends that if the revision application is not heard, the order dated 12th December, 2005 shall take effect and in that event

Liquidator may take charge of the society.

2. Pendency of revision application is not disputed by the learned AGP. In my view, instead of entertaining this petition, interest of justice would be served if the Joint Registrar, Co-operative Societies, Nashik is directed to decide the pending revision application in accordance with law and in the mean while the order dated 12th December, 2005 passed by the Deputy Registrar, Co-operative Societies, should not be implemented.

3. Accordingly following order :-

a) The Joint Registrar, Co-operative Societies is directed to decide the revision application within a period of three weeks from the date of receipt of a copy of this order;

b) Interim order dated 12th December, 2005 not to be given effect to and implemented till pendency of the revision application and for a period of two weeks after its disposal;

c) Petition disposed of with no order as to costs.

(S.C.DHARMADHIKARI,J.)